

Amendment No. 1 to HB0457

**Faison
Signature of Sponsor**

AMEND Senate Bill No. 237*

House Bill No. 457

by deleting the bill in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101(g)(10) is amended by deleting the words "The petitioner shall pay" and substituting instead the words " Except as provided in subdivision (g)(16), the petitioner shall pay".

SECTION 2. Tennessee Code Annotated, Section 40-32-101(g), is amended by adding the following new subdivision:

(16) If the petitioner is unable to pay the fee required by subdivision (g)(10), the petitioner may enter into a payment plan with the clerk in order to pay the fee in installment payments; provided, however, that no order of expunction shall be granted pursuant to this subdivision (g)(16) until the total amount of the fee is paid. Once the petitioner has paid to the clerk of the court a total of three hundred fifty dollars (\$350.00) the fee shall be allocated by the clerk as follows:

(A) Eighty dollars (\$80.00) of the fee shall be transmitted to the Tennessee bureau of investigation for the purpose of defraying the costs incurred from the additional expunction petitions filed and granted as the result of this subsection.

(B) The clerk shall retain twenty-five dollars (\$25.00) of the fee. The clerk shall remit the remainder to the trustee to be allocated in the following manner:

(i) Twenty-five dollars (\$25.00) to the public defenders expunction fund; and

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(ii) Two hundred twenty dollars (\$220) to the district attorneys
expunction fund.

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it.